

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:12-CR-0004-APG-(GWF)
11 JERMAINE SMITH,)
12 Defendant.)

13 SUBSTITUTION AND FORFEITURE ORDER

14 This Court, having read and considered the Government's Motion to Substitute and to Forfeit
15 Property of Jermaine Smith, and good cause appearing, finds the assets described below are owned by
16 Jermaine Smith and that the property subject to criminal forfeiture (1) cannot be located upon the exercise of
17 due diligence; (2) has been transferred to a third party; and (3) has been placed beyond the jurisdiction of the
18 court.

19 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the following assets are
20 substituted and are forfeited to the United States of America pursuant to 18 U.S.C. § 1963(m):

- 21 1) \$789.98;
22 2) \$118,734.08;
23 3) \$672.95;
24 4) \$817.16; and

25 / / /

26 / / /

1 5) any and all assets held by Columbian Mutual Life Insurance Company, Asset Number
2 6155072, in the name of Jermaine A. Smith
3 all of which constitutes ("property").

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of
5 America is now entitled to, and should, reduce the aforementioned property to the possession of the
6 United States of America;

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of
8 America should seize the aforementioned property;

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all right, title, and interest
10 of Jermaine Smith in the aforementioned property is forfeited and is vested in the United States of
11 America and shall be safely held by the United States of America until further order of the Court;

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
13 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
14 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
15 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
16 name and contact information for the government attorney to be served with the petition, pursuant to
17 Fed. R. Crim. P. 32.2(b)(6) and Title 18, United States Code, Section 1963(j)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
19 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the
20 validity of the petitioner's alleged interest in the property, which petition shall be signed by the petitioner
21 under penalty of perjury pursuant to Title 18, United States Code, Section 1963(j)(3) and Title 28,
22 United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's right, title,
23 or interest in the forfeited property and any additional facts supporting the petitioner's petition and the
24 relief sought.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
26 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later

1 than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
2 after the first day of the publication on the official internet government forfeiture site,
3 www.forfeiture.gov.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
6 following address at the time of filing:

7 Daniel Hollingsworth
8 Assistant United States Attorney
9 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
11 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
12 following publication of notice of seizure and intent to administratively forfeit the above-described
13 property.

14 Dated: August 4, 2015.

15
16 
17 _____
UNITED STATES DISTRICT JUDGE
18
19
20
21
22
23
24
25
26